

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA**

In Re:	)	
Chad Shelton Broyhill,	)	
	)	Chapter 7
	)	Case No. 16-50246
Debtor,	)	
	)	
<hr style="width: 35%; margin-left: 0;"/>	)	
Chad Shelton Broyhill,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Adversary No. 16-05012
	)	
Appalachian State University, AES/NCT,	)	
College Foundation, Inc., National Collegiate	)	
Trust, US Dept. of Ed./Great Lakes Educational Lo	)	
	)	
Defendants,	)	
<hr style="width: 40%; margin-left: 0;"/>	)	

**NATIONAL COLLEGIATE TRUST'S  
ANSWER TO COMPLAINT**

NOW COMES Defendant National Collegiate Trust ("NCT"), by and through its counsel, and for its Answer to the Complaint, states as follows:

**PARTIES**

1. NCT denies the date of filing and admits the remaining allegations of paragraph 1.
2. NCT admits the allegations of paragraph 2.

[3.] NCT is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3.

[3.1] NCT denies it is related to AES and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 3.1.

[3.2] NCT denies it is related to AES and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 3.2.

[3.3] NCT is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3.3.

[3.4] NCT denies Transworld Systems Inc. is related to NCT or may be, served at the business and address given, and admits the remaining allegations of paragraph 3.4.

[3.5] NCT is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 3.5.

[3.6] Admits NCT is a holder of one of debtor's student loans, and is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations of paragraph 3.6.

#### **JURISDICTION**

4. NCT admits the allegations of paragraph 4.

#### **APPLICABLE LAW**

NCT states that this is a statement of law to which no answer is required.

#### **VENUE**

5. NCT denies that §1391 is applicable to this matter and admits the remaining allegations of paragraph 5.

**FACTS**

6. NCT is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 6.

7. NCT is without knowledge or information sufficient to form a belief as to the truth of the allegations of paragraph 7.

**CLAIM I**

8. NCT denies the allegations of paragraph 8.

**Affirmative Defenses**

1. NCT alleges service of process is insufficient.
2. NCT alleges insufficient process.

WHEREFORE, National Collegiate Trust respectfully requests that the court dismiss the complaint with prejudice as to it; find Plaintiff's student loans nondischargeable under 11 U.S.C. §523(a)(8); and grant it such additional relief as it deems just.

DATED September 2, 2016

Respectfully submitted,

  
s/ Kristin Decker Ogburn

Kristin Decker Ogburn

NC Bar # 20506

Horack, Talley, Pharr and Lowndes

301 S. College St., Suite 2600

Charlotte, NC 28202-6038

704/377-2500

CERTIFICATE OF SERVICE

I certify on this day that the foregoing Answer to Complaint was mailed first class, postage prepaid to:

Chad Shelton Broyhill  
1712 Old Salisbury Rd.  
North Wilkesboro, NC 28659

I certify that I have this day served a copy of the foregoing through the Court's ECF Electronic notification/email system the following:

Brent D. Kiziah  
N.C. Department of Justice

John W. Taylor  
Chapter 7 Trustee

Gill P. Beck  
U.S. Attorney's Office

This 2nd day of September, 2016.

s/ Kristin Decker Ogburn  
Kristin Decker Ogburn  
Attorney for National Collegiate Trust